

**ORDINANCE NO. 24-2016**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER PROVIDING FOR THE CONSTRUCTION AND INSTALLATION OF CONCRETE SIDEWALKS, APRONS AND GRANITE BLOCK CURBS ON THE WESTERLY SIDE OF SOUTH JEFFERSON ROAD AT VARIOUS LOCATIONS BEGINNING AT UKRAINE ROAD TO A POINT 300' SOUTH OF THE INTERSECTION OF EDEN LANE WITHIN THE TOWNSHIP OF HANOVER, APPROPRIATING THE SUM OF \$75,000.00 FROM THE 2016 CURRENT FUND BUDGET, SIDEWALK ACCOUNT AND PROVIDING FOR THE LEVYING OF ASSESSMENTS UPON THE SEVERAL PROPERTIES FRONTING ON THE IMPROVEMENT**

**WHEREAS**, in order to ensure the safety of pedestrians, it is the intention of the Township Committee to construct and install concrete sidewalk, aprons and granite block curbs on the westerly side of South Jefferson Road at various locations beginning at Ukraine Road to a point 300' south of the intersection of Eden Lane.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Hanover, County of Morris and State of New Jersey as follows:

**Section 1.** The Township of Hanover shall construct and install concrete sidewalks, aprons, granite block curbs and other related and incidental miscellaneous work on the westerly side of South Jefferson Road at various locations beginning at Ukraine Road to a point 300' south of the intersection of Eden Lane. The property owners along South Jefferson Road to be affected by the construction of new concrete sidewalks, aprons and granite block curbs fronting on the improvement are as follows: Block 2403, Lot 3, Block 2602, Lots 1 and 3, Block 2903, Lot 22 and Block 2904, Lots 5, 6, 9 and 11 as disclosed on the Tax Assessment Maps of the Township of Hanover.

**Section 2.** The total estimated cost of the improvements described in **Section 1.** above is \$75,000.00. There is hereby appropriated from the 2016 Current Fund Budget, Sidewalk Account the sum of \$75,000.00 to underwrite the cost of the improvements.

**Section 3.** Fifty (50%) percent of the aforesaid cost of the installation of the concrete sidewalks, aprons and granite curbs and other related and incidental miscellaneous work shall be contributed by the Township at large and 50% of the aforesaid cost of the installation of the concrete sidewalks, aprons and granite block curbs shall be paid by assessments which shall be levied against the several properties fronting on the improvement in the manner prescribed and pursuant to the authority of R.S. 40:65-1, et seq. The estimated cost of the concrete sidewalks, aprons and granite block curbs and other related and incidental miscellaneous work is \$75,000.00.

**Section 4.** Such assessments shall bear interest from the time of confirmation at the same rate and with the same penalties for nonpayment as assessments for local improvements in the municipality, and from the confirmation thereof shall be a first and paramount lien upon the real estate assessed to the same extent and be collected and enforced in the same manner as assessments for local improvements.

**Section 5.** The owner or owners of any land upon which any assessment for said improvement shall have been made may pay such assessment in ten (10) yearly installments with legal interest on the unpaid balance of the assessment. The first of said installments shall be due and payable sixty (60) days after the confirmation of the assessment and each subsequent annual installment and interest shall be payable on a like date in each successive year thereafter; provided that any person assessed shall have the privilege of paying the whole or any assessment or any balance of installments with accrued interest thereon at one time. If any such installment shall remain unpaid for thirty (30) days after the time when the same shall become due, the whole assessment or balance due thereon shall become and be immediately due, shall draw interest at the rate imposed upon the arrearage of taxes, and be collected in the manner, provided for by law. Such assessment shall remain a

lien upon the land described therein until the same with all installments and accrued interest thereon, shall be paid and satisfied.

**Section 6.** The Township Engineer is hereby declared to be the municipal officer in charge of the improvement and shall keep an accurate account of the cost of said improvement and shall assess the proportion of costs hereby established in this ordinance to be assessed against the several properties in proportion to their respective frontage of said improvement, and file a report thereof, under oath with the Township Clerk. The Township Committee shall there after consider the same for confirmation in the manner prescribed by law.

**Section 7.** Notice of the pendency of this Ordinance shall be given to all owners of real estate affected hereby, and a hearing shall be afforded them prior to final passage. The notice may be served upon all owners residing in the Township of Hanover personally or by leaving the same at their usual place of residence with a member of the family above the age of fourteen (14) years. In the case of infants and incompetents, such notice shall be served upon their guardian; when any real estate is held in trust, upon the trustee; when held by joint tenants in common or by the entirety, upon anyone such tenant. If the owner of any such real estate is a nonresident of the municipality, the notice may be served upon him personally, or upon his agent in charge of the property, or upon the occupant thereof, or mailed to the nonresident owner at his last post office address.

If the owner is unknown, or if, for any reason, service can not be made as here and above directed, the notice shall be published in a newspaper circulating in the municipality at least once, and not less than thirty (30) days before the improvement is made by the municipality. Notices to the owner or owners of several distinct parcels of real estate may be inserted in the publication.

Proof by Affidavit of Service of such notice shall be filed within ten (10) days thereafter with the officer in charge of the records of the tax liens of the municipality, but failure to file such proofs shall not invalidate the proceedings if service has been made as hereinbefore provided.

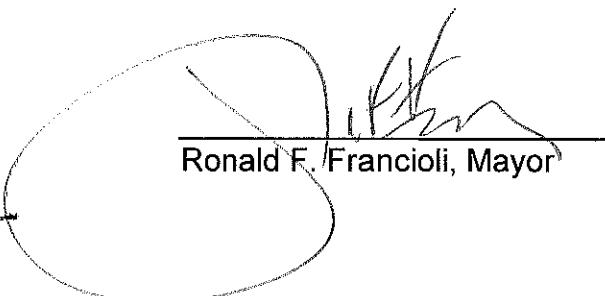
The notice shall state the time and place at which this Ordinance shall be considered, which shall be prior to any passage of this Ordinance, and shall be served or published ten (10) days prior to the date fixed for hearing.

**Section 8.** This Ordinance shall take effect in accordance with law.

TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

ATTEST:

  
\_\_\_\_\_  
Joseph A. Giorgio, Township Clerk

  
\_\_\_\_\_  
Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: August 11, 2016

DATE OF ADOPTION: September 8, 2016